



DEPARTMENT OF PERSONNEL

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MEMO PERD #21/99

May 19, 1999

**PERSONNEL COMMISSION MEETING
MAY 14, 1999**

I. CALL TO ORDER

The Personnel Commission meeting was called to order by Chairman Manos at 2:03 p.m., May 14, 1999, at the Department of Transportation in both Carson City and Las Vegas via video conferencing. Members present: Chairman Ted Manos, Commissioner Teo Gamboa, Commissioner James Skaggs, Commissioner Victoria Riley, and Commissioner Claudette Enus. Also present: Jeanne Greene and Carol Thomas from the Department of Personnel and Jim Spencer representing the Attorney General's office.

II. ADOPTION OF AGENDA

Commissioner Skaggs' motion to approve the agenda was seconded by Commissioner Riley and unanimously carried.

III. Appeal of class specifications for the Workers' Compensation Services Chief series, Workers' Compensation Staff Specialist, Workers Compensation Program Supervisor series, Workers' Compensation Advocate Supervisor and Adjuster, Workers' Compensation Program Analyst, Workers' Compensation Program Specialist series, and Workers' Compensation Technician series

State of Nevada Employees' Association

Dennis Kifer, Senior Employee Representative

Jeanine Elliott-Lake, Senior Employee Representative

Dennis Kifer, Senior Employee Representative, State of Nevada Employees Association (SNEA), read a statement from Robert Gagnier (copy on file) rejecting the process of holding an emergency Personnel Commission meeting, manipulating the

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layoff regulation, and not providing the employees involved enough time to review the changes.

Caleb Mills, Human Resources Director, Employers Insurance Company of Nevada (EICON), stated that options were not new to these series and the consideration of options is currently included in the layoff regulations, contrary to Mr. Gagnier's statement. Options provide for the appointment and retention of employees in skilled positions even though the class specifications are written in general terms. Prior to 1995, there were options in the Workers' Compensation series. When the class specifications were rewritten in and approved by the Personnel Commission in 1994, the options were removed because at that time the agency felt a general knowledge of workers' compensation was sufficient both for the employees and for the organization. However, in 1995, the Legislature passed and the Governor signed into law legislation which authorized private insurance companies to sell workers' compensation insurance beginning July 1, 1999.

Reorganization began almost immediately. Mr. Mills described the processes developed to meet the new challenges the organization would face on July 1, 1999. Because the learning curve for classes assigned to Claims, Insurance Services and Administrative Services is approximately 12 months, the employees are now specialists instead of being generalists. Mr. Mills stated they are losing employees to other agencies almost daily, they are having difficulties in recruiting, and EICON needs to keep the employees they have in their areas of expertise. He continued to say EICON could layoff approximately 50% of their employees. Adding the options to the class specifications will not change the number of layoffs but will allow the organization to retain employees trained in their areas of expertise. Without the options, it is presumptive that employees will be able to transfer between areas and function with little or no training. Laying employees off without the options will result in poorer service and loss of business.

Chairman Manos asked about the urgency to hold this meeting now as opposed to when it was originally scheduled on June 4, 1999.

Douglas Dirks, Chief Executive Officer, EICON, explained their marketplace would be opening to competition on July 1, 1999. The organization will begin to lose business right away, perhaps up to one-half to two-thirds of the marketshare. Layoff notices will be issued, depending on the outcome of the legislation, prior to July 1, 1999. EICON needs to know the rules they would be operating under, and the sooner those were known the better off the organization would be. If the options are not approved, they would be setting employees up to fail because of a presumption that every job within the organization is interchangeable. Mr. Mills added they also wanted to provide their employees 60 days notice versus the 30 days required by regulation.

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Discussion continued regarding the necessity of the options and the effects of the proposed legislation to privatize EICON.

Commissioner Enus asked for an explanation of the layoff process. Jeanne Greene, Acting Director, Department of Personnel, explained that process and, in addition, the reemployment process. Douglas Dirks explained the length of time the employees would have reemployment rights with the State, and if Senate Bill 37 passes, the Governor has made a commitment to lift the hiring freeze so other agencies can hire EICON employees.

Jeanne Greene, also indicated the options were not initially given priority by the Department of Personnel. However, as the deadline of July 1, 1999, approached, EICON advised the Department of Personnel that this issue was a priority and action needed to be taken.

There being no further discussion, Commissioner Skaggs' motion to adopt the options to the Workers' Compensation class specifications was seconded by Commissioner Gamboa and unanimously carried.

IV. Comments by the General Public

There were none.

V. Adjournment

Commissioner Skaggs' motion to adjourn the meeting at 2:57 p.m. was seconded by Commissioner Enus and unanimously carried.